

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

THOMAS LAMONT WILLIAMS,

Plaintiff,

v.

ALPINE HAVEN, *et al.*,

Defendants.

Case No. 3:19-cv-00749-MMD-CLB

ORDER ACCEPTING AND ADOPTING
REPORT AND RECOMMENDATION
OF MAGISTRATE JUDGE
CARLA L. BALDWIN

Plaintiff Thomas Lamont Williams brings this case pursuant to 42 U.S.C. § 1983. Before the Court is the Report and Recommendation (“R&R”) of United States Magistrate Judge Carla L. Baldwin recommending that this action be dismissed for Plaintiff’s failure to comply with LR IA 3-1’s requirement that he update his address. (ECF No. 7.) Williams had until July 14, 2020, to file an objection to the R&R but has not done so.¹ The Court will accept and adopt the R&R in full.

This Court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). Where a party fails to object to a magistrate’s recommendation, the Court is not required to conduct “any review at all . . . of any issue that is not the subject of an objection.” *Thomas v. Arn*, 474 U.S. 140, 149 (1985); *see also United States v. Reyna-Tapia*, 328 F.3d 1114 (9th Cir. 2003) (“De novo review of the magistrate judges’ findings and recommendations is required if, but *only* if, one or both parties file objections to the findings and recommendations.”) (emphasis in original); Fed. R. Civ. P. 72, Advisory Committee Notes (1983) (providing that the court “need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation”).

///

¹The R&R returned undeliverable from the address on file with the Court. (ECF No. 8.)

1 Because there is no objection, the Court does not conduct de novo review and is
2 satisfied that there is no clear error. Judge Baldwin recommends dismissal, applying the
3 five factors noted in *Carey v. King*, 856 F.2d 1439, 1440 (9th Cir. 1988), because Williams
4 failed to comply with LR IA 3-1's requirement as noted. (See ECF No. 7; see also ECF
5 Nos 4, 5, 6 (concerning Williams' release from incarceration, directing Williams to update
6 his address, and cautioning him that failure to do so will result in dismissal of his case,
7 respectively) .) The Court agrees that dismissal is warranted.

8 It is therefore ordered, adjudged, and decreed that the Report and
9 Recommendation of Magistrate Judge Carla L. Baldwin (ECF No. 7) is accepted and
10 adopted in its entirety.

11 It is further ordered that this case is dismissed for Williams' failure to notify the Court
12 of his change of address pursuant to LR IA 3-1.

13 The Clerk of the Court is directed to close this case.

14 DATED THIS 16th day of July 2020.

15
16 

17 MIRANDA M. DU
18 CHIEF UNITED STATES DISTRICT JUDGE
19
20
21
22
23
24
25
26
27
28